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EXAMINER

LEE, BRYAN Y

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,867	<b>Applicant(s)</b> IZUMI, MICHIIRO	
	<b>Examiner</b> BRYAN LEE	<b>Art Unit</b> 4127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-7,10-13 and 16-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,10-13 and 16-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :4/11/2005, 11/30/2005, 8/10/2006.

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The following title is suggested: COMMUNICATION APPARATUS, CONTROL METHOD OF COMMUNICATION APPARATUS, AND CONTROL PROGRAM OF COMMUNICATION APPARATUS FOR SELECTING A TRANSMISSION PATH FOR IMAGE DATA.

3. The disclosure is objected to because of the following informalities: In ¶ [0062] applicant refers to the SIP proxy server by reference character (106). In Fig. 1, reference character (106) refers to ADSL gateway. Earlier in the disclosure applicant refers to SIP proxy server using reference character (103). Examiner requests applicant to review disclosure for any other possible discrepancies. Labeling reference characters (103) and (104) in Fig. 1 is also recommended.

### *Claim Objections*

4. **Claims 22-26** is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

**Claim 22** improperly recites the same limitations as the parent claim without disclosing the limitations of a WWW server or conformance to the HTTP protocol.

**Claims 23-26** improperly broadens the scope of the parent claim by only claiming a specific element of the parent claim, i.e. a communication apparatus, or control program of the parent claim.

### ***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data.

When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium that increases computer efficiency held statutory) and *Warmerdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory).

In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

7. **Claim(s) 13, 16, 17, 18, 25 and 26** is/are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim(s) 13, 16, 17, 18, 25 and 26 defines a control program embodying functional descriptive material. However, the claim does not define a computer-readable medium or memory and is thus non-statutory for that reason (i.e., “When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized” – Guidelines Annex IV). That is, the scope of the presently claimed control program can range from paper on which the program is written, to a program simply contemplated and memorized by a person.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. **Claims 1, 4-7, 10-13, and 16-18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to **claims 1, 4, 10, and 16**, all recite several instances of the pronoun "it". The claims do not clearly indicate the subject matter of "it". For example, in claim 1, "it" could refer to apparatus, control means, IP connecting means, etc.

Examiner requests the claims be amended so that subject of "it" is clearly indicated.

Appropriate correction is required.

As to **claims 1, 7, and 13**, all recite a similar limitation relating to a decision on which communication path a communication will travel. The disclosure shows such a decision in Fig. 7A, S402. If VoIP supported use a packet switched connection or IP, otherwise use an alternate circuit switched connection or line. While the claims indicate two branches they do not make clear which branch corresponds to which connection. Examiner will treat the first branch as the IP connection and the second as the alternate.

Dependant **claims 4-6, 10-12, and 17-18** are also rejected under the above stated reason since they contain the same indefinite language as the independent claims 1, 7, and 13.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claim(s) 1, 4, 7, 10, 13 and 16** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*").

As to **claim 1**, *Kawabata* disclose(s) a communication apparatus (*Kawabata* Fig. 1; Communications Terminal Unit) which includes IP (Internet Protocol) communication means (*Kawabata* Fig. 1; IP Network Control Section; 21) and transmits/receives communication data to/from a destination station discriminated by a telephone number, (*Kawabata* "phone number" [0017]) comprising:

IP address obtaining means for obtaining an IP address of the destination station. (*Kawabata* Fig. 1; Sip Call Control Section; 22)

*Kawabata* do(es) not expressly disclose doing so from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station.

*Camarillo* discloses using a SIP proxy server to obtain a destination IP address from a telephone number. (*Camarillo* pp. 156; "final response from proxy to Laura" which includes "Bob's" IP address)

*Kawabata* and *Camarillo* are analogous art because they are from the same field of endeavor with respect to SIP.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the SIP proxy aspect of *Camarillo* with the



apparatus from *Kawabata*. The suggestion/motivation would have been to initiate a SIP communication. (*Camarillo* pp. 151-157)

*Kawabata* further disclose(s) a communication apparatus further comprising a facsimile communication means for performing facsimile communication on a line switching network; (*Kawabata* Fig. 1; 23, 24; G3 Fax Transmission Control Section & PSTN Call/Network Control Section)

converting means for converting a signal that said facsimile communication means transmits/receives into data on an IP network (*Kawabata* Fig. 1; IP Network; 40); (*Kawabata* Fig. 1; T.38 Transmission Control Section; 20; T.38 is a digital protocol for faxing over packet switched network)

IP network connecting means adapted for connection to the IP network; and (*Kawabata* Fig. 1; IP Network Control Section; 21)

control means for controlling to, (*Kawabata* Fig. 1; System Control Section; 18)

if it is able to transmit/receive communication data (*Kawabata* discloses facsimile transmissions) on the IP network based on a predetermined file transmit/receive protocol (*Kawabata* ; T.38 is a protocol for faxing over packet switched networks; [0031]), start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol, via the IP network connecting means, using the obtained IP address of the destination station, in response to the acquirement of the IP address by said IP

address obtaining means, and (*Kawabata* Fig. 7; If an IP route exists then use IP Network; See RT21, RT23; [0079])

if it is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol (*Kawabata* T.38), cause said facsimile communication means to start transmission/reception of image data to/from the destination station based on a predetermined file transmit/receive protocol (*Kawabata* ; T.30 is a protocol for faxing over circuit switched networks; [0031]), in response to the acquirement of the IP address of the destination station by said IP address obtaining means, and cause said converting means to execute conversion of the signal that said facsimile communication means transmits/receives and transmit/receive thus converted signal to/from the destination station via said IP network connecting means. (*Kawabata* Fig. 7; If an IP route does not exist, then use phone line; See RT22; The applicant has not clearly disclosed how the IP connection is used in both an analog path and digital path. See previous 112 ¶2 rejection. If an IP path was not available, then according to the disclosure an analog path, or voice band channel, would be the alternative. See ¶ [0079] of application.)

As to **claim 4**, *Kawabata* and *Camarillo* further disclose(s) a communication apparatus, wherein an IP address obtaining means judges, by analyzing the telephone number of the destination station (*Kawabata* Fig. 5; S503; "analyze dial number";), whether or not it is able to perform the communication with the destination station via a VoIP (Voice over Internet

Protocol) network (*Kawabata* Figs. 4A-H, where tables disclose mapping prefixes to network types, including IP), and tries to obtain the IP address of the destination station from a predetermined server (*Camarillo* SIP proxy previously addressed) when it is able to perform the communication via the VoIP network, and said control means transmits/receives the communication data to/from the destination station on the IP network based on the predetermined file transmit/receive protocol by using the obtained IP address of the destination station. (*Kawabata* ; T.38 is a protocol for faxing over packet switched networks)

As to **claim 7**, *Kawabata* and *Camarillo* further disclose(s) a control method of a communication apparatus which includes an IP communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, comprising the steps of:

obtaining an IP address of the destination station from an SIP proxy server based on the telephone number of the destination station;

performing a facsimile communication on a line switching network;

converting into data a signal transmitted/received on the IP network;

connecting IP network connecting means to an IP network; and

controlling to,

if able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol, start to transmit/receive image data to/from the destination station based on the predetermined file

transmit/receive protocol using the obtained IP address of the destination station, in response to the acquirement of the IP address, and

if not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, start transmission/reception of image data to/from the destination station based on the predetermined file transmit/receive protocol in response to the acquirement of the IP address of the destination station, and execute conversion of the signal that is transmitted/received and transmit/receive thus converted signal to/from the destination station.

See similar rejection and motivation to claim 1, where the method is taught by the apparatus of claim 1.

As to **claim 10**, *Kawabata* and *Camarillo* further disclose(s) a control method, wherein the telephone number of the destination station is analyzed to judge whether or not it is able to perform the communication with the destination station via a VoIP network, it is tried to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and the communication data is transmitted/received to/from the destination station on the IP network based on the predetermined file transmit/receive protocol by using the obtained IP address of the destination station.

See similar rejection and motivation to claim 4, where the method is taught by the apparatus of claim 4.

As to **claim 13**, *Kawabata* and *Camarillo* further disclose(s) a control program for a communication apparatus which includes an IP communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, said program comprising the control steps of:

obtaining an IP address of the destination station from an SIP proxy server based on the telephone number of the destination station;

performing a facsimile communication on a line switching network;

converting into data a signal transmitted/received on the IP network;

connecting IP network connecting means to an IP network; and

controlling to,

if able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol using the obtained IP address of the destination station, in response to the acquirement of the IP address, and

if not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, start transmission/reception of image data to/from the destination station based on the predetermined file transmit/receive protocol in response to the acquirement of the IP address of the destination station, and execute conversion of the signal that is

transmitted/received and transmit/receive thus converted signal to/from the destination station.

See similar rejection and motivation to claim 1, where the control program is taught by the apparatus of claim 1.

As to **claim 16**, *Kawabata* and *Camarillo* further disclose(s) a control program, further comprising control steps of analyzing the telephone number of the destination station to judge whether or not it is able to perform the communication with the destination station via a VoIP network, trying to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and transmitting/receiving the communication data to/from the destination station on the IP network based on the predetermined file transmit/receive protocol by using the obtained IP address of the destination station.

See similar rejection and motivation to claim 4, where the control program is taught by the apparatus of claim 4.

12. **Claim(s) 5, 11 and 17** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") in further view of U.S. Patent No. 7133899 B2 to *Rowe et al.* ("*Rowe*") and "DSL for Dummies" by *Angell* ("*Angell*").

As to **claim 5**, *Kawabata* and *Camarillo* do(es) not disclose(s) a communication apparatus, wherein said IP network connecting means is an ADSL (Asymmetric Digital Subscriber Line) modem.

*Rowe* disclose(s) an apparatus with a Digital Subscriber Line (DSL) interface (*Rowe* Fig. 3; Network Interface; 350; col. 4 44-54), ADSL being a form of DSL (See *Angell* p. 46).

*Kawabata*, *Camarillo*, *Rowe*, and *Angell* are analogous art because they are from the same field of endeavor with respect to network enabled devices.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the ADSL interface aspect of *Rowe* and *Angell* with the apparatus of *Kawabata* and *Camarillo*. The suggestion/motivation would have been to allow an apparatus to connect to a network. (*Rowe* Fig. 3; Network Interface; 350; col. 4 44-54)

As to **claim 11**, *Kawabata*, *Camarillo*, *Rowe*, and *Angel* further disclose(s) a control method, wherein the IP network connecting means is an ADSL modem.

See similar rejection and motivation to claim 5, where the method is taught by the apparatus of claim 5.

As to **claim 17**, *Kawabata*, *Camarillo*, *Rowe*, and *Angel* further disclose(s) a control program, further comprising a control step of performing the transmission/reception of the communication data on the IP network and the transmission/reception of the communication data on an analog communication path by using an ADSL modem.

See similar rejection and motivation to claim 5, where the control program is taught by the apparatus of claim 5.

13. **Claim(s) 6, 12 and 18** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") in further view of "RFC 3261 - SIP: Session Initiation Protocol", by Rosenberg et al. ("*RFC 3261*").

As to **claim 6**, *Kawabata* and *Camarillo* disclose(s) a communication apparatus, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol) (*Camarillo* See "Invite from Laura's UA to SIP Proxy" p. 152, the invite set via UDP), and controls to transmit/receive the communication data to/from the destination station by using the obtained IP address of the destination station, based on a predetermined TCP (Transmission Control Protocol). (*Kawabata* Fig. 1; SIP Call Control Section; The SIP Call Control Section must inherently implement UDP and TCP. *RFC 3261* "All SIP elements MUST implement UDP and TCP" [Page 142])

As to **claim 12**, *Kawabata* and *Camarillo* further disclose(s) a control method, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP, and the communication data is transmitted/received to/from the destination station by using the obtained IP address of the destination stations based on a predetermined TCP.



See similar rejection and motivation to claim 6, where the method is taught by the apparatus of claim 6.

As to **claim 18**, *Kawabata* and *Camarillo* further disclose(s) a control program, further comprising a control steps of obtaining the IP address of the destination station from a predetermined server based on the telephone number of the destination station by using a predetermined UDP, and transmitting/receiving the communication data to/from the destination station by using the obtained IP address of the destination station based on a predetermined TCP.

See similar rejection and motivation to claim 6, where the control program is taught by the apparatus of claim 6.

14. **Claim(s) 19, 20, and 23-26** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") and in view of U.S. Patent No. 6,209,048 B1 to *Wolff* ("*Wolff*").

As to **Claim 19**, *Kawabata* disclose(s) a communication method which sends/receives communication data in IP (Internet Protocol) communication between communication apparatuses (*Kawabata* Fig. 1; Communications Terminal Unit) discriminated by telephone numbers (*Kawabata* "phone number" [0017]).

*Kawabata* do(es) not expressly disclose a communications method wherein, a first communication apparatus obtains an IP address of a second

communication apparatus from a predetermined server based on the telephone number of the second communication apparatus, and sends a data communication request to the second communication apparatus based on the obtained IP address.

*Camarillo* discloses initiating a SIP communication session. (*Camarillo* pp. 151-157)

Initiating SIP sessions through proxy servers (a proxy is a predetermined server; *Camarillo* pp. 156). Initiating a session includes obtaining an IP address and sending data communication requests. (*Camarillo* pp. 151-157)

*Kawabata* and *Camarillo* are analogous art because they are from the same field of endeavor with respect to SIP.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the SIP initiation aspect of *Camarillo* with the apparatus from *Kawabata*. The suggestion/motivation would have been to initiate a SIP communication. (*Camarillo* pp. 151-157)

*Kawabata* further do(es) not expressly disclose the communication apparatus on a data receiving side of the first and second communication apparatuses sends a data sending request to the communication apparatus on a data sending side based on a data send/receive protocol conforming to an HTTP (HyperText Transport Protocol), and sends/receives the communication data on an IP network based on the data send/receive protocol.

*Wolff* discloses a fax machine with an integrated web server that allows another device with a web browser to request data via HTTP over an IP network. (*Wolff* Fig.2; col. 9, ll. 49-52)

*Kawabata*, *Camarillo* and *Wolff* are analogous art because they are from the same field of endeavor with respect to transferring image data between devices.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the web server aspect of *Wolff* with the method disclosed in *Kawabata and Camarillo*. The suggestion/motivation would have been provide an alternative method of access content. (*Wolff* Col. 2, 46-47)

As to **Claim 20**, *Kawabata*, *Camarillo* and *Wolff* further disclose(s) a communication method, wherein the predetermined server is an SIP (Session Initiation Protocol) proxy server, and the first communication apparatus obtains the IP address of the second communication apparatus from the SIP proxy server based on an SIP. (*Camarillo* pp. 156; “final response from proxy to Laura” which includes “Bob’s” IP address)

As to **Claim 23**, *Kawabata*, *Camarillo* and *Wolff* further disclose(s) a communication apparatus wherein said communication apparatus operates as the first or second communication apparatus.

See similar rejection and motivation to claim 19, where the apparatus is taught by the method of claim 19.

As to **Claim 24**, *Kawabata*, *Camarillo* and *Wolff* further disclose(s) a communication apparatus wherein said communication apparatus operates as the communication apparatus on the data sending side or the communication apparatus on the data receiving side.

See similar rejection and motivation to claim 19, where the apparatus is taught by the method of claim 19.

As to **Claim 25**, *Kawabata*, *Camarillo* and *Wolff* further disclose(s) a control program for a communication apparatus which controls the operation of the first or second communication apparatus.

See similar rejection and motivation to claim 19, where the apparatus is taught by the method of claim 19.

As to **Claim 26**, *Kawabata*, *Camarillo* and *Wolff* further disclose(s) a control program for a communication apparatus which controls the operation of the communication apparatus on the data sending side or the communication apparatus on the data receiving side.

See similar rejection and motivation to claim 19, where the apparatus is taught by the method of claim 19.

15. **Claim(s) 21 and 22** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") in view of U.S. Patent No. 6,209,048 B1 to *Wolff* ("*Wolff*") and in further view of U.S. Pre-Grant Publication 2003/0028892 A1 to *Gewickey* ("*Gewickey*").

As to **Claim 21**, *Kawabata, Camarillo and Wolff* do(es) not disclose a communication method, wherein the communication apparatus on the data receiving side of the first and second communication apparatuses has a WWW (World Wide Web) communication function for performing processes such as browsing, a jump to another link, recording output, transfer and the like in respect to data of a WWW server using the data send/receive protocol conforming to the HTTP, and receives the communication data from the communication apparatus on the data sending side by using the WWW communication function.

*Gewickey* discloses embedding a web browser into a device to allow that device to browse, jump links, cache files, and retrieve files using the HTTP protocol. (*Gewickey* Fig. 1; 122; [0065] cache; [0083] links; [0146] HTTP)

*Kawabata, Camarillo, Wolff* and *Gewickey* are analogous art because they are from the same field of endeavor with respect to transferring image data between devices.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the web browser aspect of *Gewickey* with the method disclosed by *Kawabata, Camarillo and Wolff*. The suggestion/motivation would have been to allow a device to view image information. (*Gewickey* [0008])

As to **Claim 22**, *Kawabata, Camarillo, Wolff and Gewickey* further disclose a communication method, wherein the communication apparatus on the data receiving side of the first and second communication apparatuses performs the processes such as the browsing, the jump to another link, the recording output,

the transfer and the like in respect to the communication data received from the communication apparatus on the data sending side by using the WWW communication function.

See similar rejection and motivation to claim 21.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN LEE whose telephone number is (571)270-5606. The examiner can normally be reached on M-Th, 7:30AM-5:00PM EDT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick Ferris can be reached on 571-272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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